IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND SEVEN

PRESENT
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO: 18760 of 2004

Between:
Kuna Jagadiswara Rao, S/o. Karuvulu,
R/o. Srikurmam (Village), Srikakulam District.

.... PETITIONER

AND

The Regional Manager, APSRTC, Srikakulam, Srikakulam District.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, more particularly one in the nature of Certiorari or any other appropriate Writ or direction, declaring the proceedings No.P4/876/(17)/04-RM- SKLM dated 30-9-2004 passed by the Respondent in rejecting the case of the Petitioner for appointment of Driver as illegal, arbitrary and the same may be set aside and consequently direct the respondents to consider the case of the Petitioner for appointment of Driver and pass such other order or orders as this Hon'ble Court may deems fit and proper.

Counsel for the Petitioner: MR.K.BHEEMA RAO

Counsel for the Respondent: SMT.B.G.UMA DEVI

The Court made the following:

THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.18760 OF 2004

ORDER:

This writ petition is filed seeking to declare the Proceedings No.P4/876(17)/04-RM-SKLM dated 30-9-2004 issued by the respondent rejecting the case of the petitioner for appointment as driver, as arbitrary and illegal.

It appears, the petitioner along with 11 others, was selected, appointed and sent for training for the post of driver in A.P.S.R.T.C. However, while they were in training, a complaint was received by the A.P.S.R.T.C stating that the petitioner and others have obtained fake driving licences and obtained employment with A.P.S.R.T.C. The same was enquired into and the licencing authority submitted a report stating that the licence held by the petitioner was not a genuine one. Therefore, the services of the petitioner were dispensed with. Apart from this, the petitioner was also subjected to criminal prosecution, but however the criminal proceedings ended in acquittal.

Now, the case of the petitioner is that under similar circumstances, a circular No.PD/43/2000, dated 11.8.2000 was issued by the A.P.S.R.T.C taking a lenient view of the matter and considering appointment of such drivers, who were removed from service for production of non-genuine certificates, as and when they produce a genuine driving licence.

Under the above circumstances, the respondents are directed to consider the case of the petitioner for appointment to the post of driver, if the case of the petitioner fits into the teeth of the Circular

No.PD.43/2000, dated 11.8.2000 and pass appropriate orders, within a period of six weeks from the date of receipt of copy this order and communicate the same to the petitioner.

The writ petition is disposed of accordingly. No order as to costs.

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C.V.RAMULU, J

5th July 2007
RAR

THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.18760 OF 2004

DATED : 05.07.2007